

108TH CONGRESS
1ST SESSION

S. 114

To amend title XVIII of the Social Security Act to remove the 20 percent inpatient limitation under the medicare program on the proportion of hospice care that certain rural hospice programs may provide.

IN THE SENATE OF THE UNITED STATES

JANUARY 9, 2003

Mr. COCHRAN introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title XVIII of the Social Security Act to remove the 20 percent inpatient limitation under the medicare program on the proportion of hospice care that certain rural hospice programs may provide.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Rural Communities
5 Hospice Care Access Improvement Act of 2003”.

1 **SEC. 2. EXCEPTION TO MEDICARE 20 PERCENT INPATIENT**
 2 **CARE LIMITATION FOR CERTAIN RURAL HOS-**
 3 **PICE PROGRAMS.**

4 (a) IN GENERAL.—Section 1861(dd) of the Social Se-
 5 curity Act (42 U.S.C. 1395x(dd)) is amended—

6 (1) in paragraph (2)(A)(iii), by inserting “sub-
 7 ject to paragraph (6),” after “(iii)”; and

8 (2) by adding at the end the following new
 9 paragraph:

10 “(6) The requirement of paragraph (2)(A)(iii) (relat-
 11 ing to a limitation on the proportion of hospice care pro-
 12 vided in an inpatient setting) shall not apply in the case
 13 of a hospice program that meets the following require-
 14 ments:

15 “(A) The hospice program is a non-profit orga-
 16 nization, provides a residence for individuals who do
 17 not have a primary caregiver available at home, is
 18 located in a rural area (as defined in section
 19 1886(d)(2)(D)), is not certified for purposes of this
 20 title to provide other than hospice care, and is not
 21 affiliated with any organization that provides a type
 22 of care other than hospice care.

23 “(B) The residence has not more than 20 beds.

24 “(C) The residence offers all other categories of
 25 hospice care, including continuous home care, respite

1 care, and general patient care, for individuals who
 2 qualify to receive such care.”.

3 (b) MAINTAINING PAYMENT RATES FOR ROUTINE
 4 CARE.—Section 1814(i) of such Act (42 U.S.C. 1395f(i))
 5 is amended—

6 (1) by redesignating paragraph (3) as para-
 7 graph (4); and

8 (2) by inserting after paragraph (2) the fol-
 9 lowing new paragraph:

10 “(3)(A) With respect to a care provided under a hos-
 11 pice program described in section 1861(dd)(6) that meets
 12 the requirements of that section, payment for routine care
 13 and other services included in hospice care furnished
 14 under such program shall be made at the rate applicable
 15 under this subsection for routine home care and other
 16 services included in hospice care.

17 “(B) For purposes of determining payment amounts
 18 under subparagraph (A) with respect to routine and con-
 19 tinuous care, the residence described in section
 20 1861(dd)(6) is deemed to be the home of the individual
 21 receiving hospice care.”.

22 (c) EFFECTIVE DATE.—The amendments made by
 23 this section shall apply to hospice care provided on or after
 24 the date of the enactment of this Act.

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